

Message

From: Cantrell, Jeffrey [Jeffrey.Cantrell@azag.gov]
Sent: 6/14/2022 5:52:51 PM
To: Goldsmith, Sara (she/her) [Goldsmith.Sara@epa.gov]; montague-breakwell.chris@azdeq.gov
CC: Kermish, Laurie (she/her) [Kermish.Laurie@epa.gov]
Subject: RE: Introduction - Resolution Copper AZPDES permit issuance
Attachments: Ct JRAD Ruling-WQAB Decision Affirmed.pdf; RC-NOTICE TO THE WATER QUALITY APPEALS BOARD OF ADEQ'S NEW SOURCE ANALYSIS PURSUANT TO 40 CFR 122.29(b).pdf; WQAB 17-001 Final Administrative Decision.pdf

Sara,
It is a pleasure to meet you, even if it is only virtual. I am happy to discuss this case with you at any time. Feel free to contact me (602-542-7912). If I am not available, leave a voice message and I will return the call when I am able. Because of the long and somewhat convoluted history of this case, I think a telephonic conversation would be beneficial to your understanding.

Also, I am attaching some of the documents relevant to the appeal. Of particular importance, I believe, is the 40 CFR 122.29(b) analysis ADEQ submitted to the Water Quality Appeals Board. This contains a flow chart of the decision process which I think clarifies our New Source analysis. I am also including that, along with the Superior Court's Minute Entry upholding the Board's decision along with the Board's Final Administrative Decision.
Jeff

Jeffrey D. Cantrell
Assistant Attorney General
Environmental Enforcement Section
Arizona Attorney General

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From: Goldsmith, Sara (she/her) [mailto:Goldsmith.Sara@epa.gov]
Sent: Tuesday, June 14, 2022 9:49 AM
To: montague-breakwell.chris@azdeq.gov; Cantrell, Jeffrey
Cc: Kermish, Laurie (she/her); Goldsmith, Sara (she/her)
Subject: RE: Introduction - Resolution Copper AZPDES permit issuance

Good Morning Chris and Jeff!

And thank you Chris for the introduction, much appreciated.

I am trying to get up to speed on this matter, and for now am interested in seeing the final Arizona Superior Court order (referenced in the AZ appellate brief as "a signed minute entry order") affirming the Arizona Water Quality Appeal Board's determination, and any final Arizona Appellate Court orders. My searches on Westlaw came up with this appellate docket and provided only the original appellate briefs, but I would like to see all the supplemental briefs that were filed in April 2022 and any update in the status of this appeal.

Thank you again for your assistance!

Sara

Sara Goldsmith
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From: Chris Montague-Breakwell <montague-breakwell.chris@azdeq.gov>
Sent: Tuesday, June 14, 2022 9:11 AM
To: Goldsmith, Sara (she/her) <Goldsmith.Sara@epa.gov>; Cantrell, Jeffrey <Jeffrey.Cantrell@azag.gov>
Subject: Introduction - Resolution Copper AZPDES permit issuance

Hi Jeff and Sara,

I'd like to introduce you to each other.

Jeff is AZ's AGO attorney representing ADEQ on the Resolution Copper AZPDES permit reissuance.

Sara is EPA's attorney assigned to the same.

I just met with Ellen Blake et al in R9. Sara would like to speak with Jeff about our new source analysis for this permit.

Regards,

Chris Montague-Breakwell
Environmental Program Manager 2
Ph: 602-771-4162



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